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W.P.No.18094 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**

W.P.No.18094 of 2024

E.Bharathi

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.
- 2.The Directorate of Medical Education and Research,
Represented by the Director of Medical
Education and Research,
Kilpauk, Chennai – 600 010.
- 3.The Directorate of Public Health and Preventive Medicine,
Represented by the Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai – 600 006.
- 4.The Tamil Nadu Medical Services Corporation Limited,
Represented by its Chairman,
No.417, Pantheon Road,
Egmore, Chennai – 600 008.



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5. Theni Government Medical College,
Represented by Dean,
Theni.

6. Government Theni Medical College,
Represented by Dean,
Theni.

... Respondents

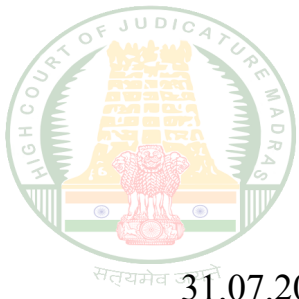
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent No.1 to 6 to treat the petitioner's two-year compulsory bond period as completed in line with the service rendered during the Covid-19 period and to consequently relieve the petitioner from his bonded service in the 6th respondent Hospital and also to direct the 1st and 5th respondent to return the petitioner's original certificates and documents collected by the 1st and 5th respondent while admitting the petitioner to the Post Graduate Degree course along with his Post Graduate Degree Certificate.

For Petitioner : Mr.C.Prathista Reddy

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

The learned counsel for the petitioner would submit that according to the bond conditions, the petitioner was issued with the posting order, thereupon she joined her service on 13.07.2022. From 13.07.2022 to



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31.07.2022 for a period of 19 days she served at Theni Medical College as Assistant Surgeon and thereafter between 01.08.2022 to 31.07.2023, the petitioner went on Maternity Leave.

2. The learned counsel for the petitioner would further submit that after completing her Maternity Leave, she again re-joined the bond service on 01.08.2023 and served upto 31.05.2024, for a period of 10 months. Thus, in total, the petitioner had served 10 months and 19 days.

3. It is the further submission of the petitioner that as per G.O.Ms.No.351, Health and Family Welfare Department, dated 27.10.2023 bond service was reduced from two years to one year. Therefore, the petitioner completed her bond period. As the Maternity leave also must co-extensive with that of the bond period.

4. The said contentions was stoutly objected by the learned Government Advocate for the respondents and would submit that G.O.Ms.No.351, Health and Family Welfare Department, dated 27.10.2023, the petitioner's bond service was reduced to one year, still 12 days has to be



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served by her.

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5. I have given my anxious consideration to the submissions made by both sides.

6. While looking at the factual position, it is not in dispute that the petitioner have completed 10 years and 19 days service and also equally not in dispute that the petitioner is only has to complete one year bond service.

7. As per G.O.Ms.No.351, Health and Family Welfare Department, dated 27.10.2023 , the only objection by the learned Government Advocate for the respondents is that still there are 12 days yet to be served by the petitioner. But, this Court has not in a position to agree with the above submission.

8. In view of the judgment of the Hon'ble Division Bench of this Court in W.A.(MD).No.860 of 2023, dated 19.06.2025, while calculating the bond service, Maternity Leave must also be taken into consideration. In the case in hand, the petitioner was on Maternity Leave from 01.08.2022 to 31.07.2023.



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Therefore, even during her Maternity Leave, her bond service was over. But, this petitioner out of generosity, again re-joined her service on 01.08.2023 and has served for a period of 10 months and 19 days.

9. Therefore, this Court while appreciating the petitioner, direct the respondents to release the original certificates within a period of two weeks from the date of receipt of a copy of this order, as the petitioner completed her bond period.

10. In the result, this Writ Petition is disposed of. No costs.

13.08.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
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To

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C.KUMARAPPAN, J.

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